

MINUTES
IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA NORTHERN, DIVISION

HON. CHARLES S. COODY, MAG. JUDGE AT MONTGOMERY, ALABAMA

DATE COMMENCED: 9/25/06 AT 3:00 p.m to 3:08 p.m.

DATE COMPLETED: 9/25/06 FTR Recording

MARKITA TOWNSEND, et al

Plaintiff

vs..

PTL PASCALL TRUCK LINES, INC.

Defendant

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CASE NO. 2:06CV263-CSC

PLAINTIFF

APPEARANCES:

DEFENDANT

Atty. Michael T. Wheelles

Atty. Kelly F. Pate, Guardian Ad Litem

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Atty. Lea Richmond

COURT OFFICIALS PRESENT:

COURTROOM DEPUTY: WANDA STINSON

LAW CLERK: CORRIE LONG

(X) OTHER PROCEEDINGS: **PRO AMI FAIRNESS HEARING**

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED			
Description	Pro Ami Hearings - 2:06cv263-CSC		
Date	9 /25/2006	Location	Courtroom 4B
Time	Speaker	Note	
3 :00:08 PM	Court	Court convenes; parties present as noted; Discussions as to the settlement of the claims for Adrian Judkins; The court has appointed guardian ad litem for the minor deft, Atty. Pate; Discussion as to other minor defts listed on the original complaint; What happened with them?;	
3 :00:43 PM	Atty. Wheelles	Two of there other minor defts cases were settled for less than \$5,000;	
3 :01:02 PM	Court	Which ones are those:	
3 :01:04 PM	Atty. Wheelles	Kavoseyae Rodgers and Alonzo Jones; We are voluntarily dismissing the claims of Kentarius Townsend;	
3 :01:37 PM	court	Discussions as to the voluntary dismissal claim;	
3 :01:41 PM	Atty Wheelles	Response;	
3 :02:15 PM	Court	Was there another minor, Anessa Judkins?	
3 :02:20 PM	Atty. Wheelles	That the mother of Alonzo Jones;	
3 :02:27 PM	Court	Valencia Rodgers is who?	
3 :02:46 PM	Atty. Wheelles	The legally appointed guardian of Kavoseyae Rodgers;	
3 :02:54 PM	Court	What is the settlement as to Adrian Judkins;	
3 :03:09 PM	Atty. Wheelles	\$100,000.00	
3 :03:15 PM	Court	How are those proceeds disbursed;	
3 :03:22 PM	Atty. Wheelles	That's the total amount for him;	
3 :03:36 PM	Court	Markita Townsend is who?	
3 :03:38 PM	Atty. Wheelles	The mother of Adrienne Judkins;	
3 :03:40 PM	Court	Is any of that money to be disbursed to her?;	
3 :03:41 PM	Atty. Wheelles	No sir. She had a separate claim. settled independantly;	
3 :03:54 PM	Court	Out of that \$100,000 , what are the expenses for counsel;	
3 :03:59 PM	Atty. Wheelles	Aproximately \$6,000.00;	
3 :04:07 PM	court	Your fees are what percentage;	
3 :04:10 PM	Atty. Wheelles	40%;	
3 :04:16 PM	Court	The net amount to be disbursed to Ms. Judkins is what amount?;	
3 :04:24 PM	Atty. Wheelles	It's 40% of 96,000;	
3 :04:27 PM	Court	\$54,000?;	
3 :04:47 PM	Law Clerk	Calculations;	
3 :04:50 PM	Atty. Wheelles	60% of \$94,000;	
3 :05:01 PM	Court	Addresses Atty. Pate as to the settlement	
3 :05:22 PM	Atty. Pate	Response ; believes the settlement is in the best interest of the minor;	
3 :05:47 PM	Court	What's going to happen with this money?	
3 :05:49 PM	Atty. Pate	The parties have not set out how this money is to be distributed; Recommends that a conservator be appointed;	
3 :06:04 PM	Court	Any objections to that?	

3 :06:14 PM	Atty. Richmond	No.
3 :06:14 PM	Atty. Wheelles	No.
3 :06:23 PM	Court	Who long does that takes?;
3 :06:28 PM	Atty. Wheelles	No sir. This is the first time doing one:
3 :06:28 PM	Court	Will put in the order that evidence of that appointment be filed with the court within 30 days; The court finds that the settlement is appropriate and in the best interest of the minor child; Will enter an order approving payment ; Discussion of atty fees for Atty. Pate;
3 :07:33 PM	Atty. Pate	The parties agreed to pay up to \$2,000 for the guardian ad litem;
3 :08:04 PM	Court	Is that the agreement of the parties?;
3 :08:06 PM	Atty. Richmond	Yes sir;
3 :08:19 PM	Court	Court is recessed.